

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE PETITION OF OTTER)
TAIL POWER COMPANY FOR APPROVAL OF)
REVISIONS TO ITS OUTDOOR LIGHTING)
TARIFF)**

**ORDER APPROVING
TARIFF
REVISIONS**

EL01-008

On May 7, 2001, the Public Utilities Commission (Commission) received a petition from Otter Tail Power Company (OTP) requesting approval of revisions to a tariff sheet for service designated "Outdoor Lighting." On June 25, 2001, the Commission received an additional revision from OTP to the tariff. OTP asked for approval of the following revised tariff sheet of its Electric Rate Schedule:

Section No. 3, Volume I, 4th Revised Sheet No. 94, Cancelling 3rd Revised Sheet No. 94, Rate Designation M-42S, pages 1 of 3, 2 of 3 and 3 of 3.

OTP's Petition in this matter states, in part, that "[t]he proposed amended OLT, attached as Exhibit No. 1, is similar to Otter Tail's existing OLT, Rate Designation M-42S, but it adds two high-pressure sodium pole top decorative fixtures and five metal halide fixtures. The proposed amended OLT also adds a fixed seasonal charge for outdoor lighting used on a seasonal basis. Additional language changes clarify the terms of the Tariff and conform the Tariff to State Electrical Code requirements."

At its regularly scheduled July 24, 2001, meeting, the Commission considered final approval of the application. OTP stated that Commission Staff and OTP had reached a verbal stipulation regarding the proposed rates for the new outdoor lighting services which OTP was proposing in this docket. OTP agreed to the end result of Staff's adjustments to those rates while disagreeing to the method used to reach those adjustments. OTP agreed to accept Staff's adjustments on the condition that this docket may not be cited or relied on by the Commission as evidence in any administrative or other legal proceeding. Commission Staff recommended approval of the proposed tariff revisions, the rates as proposed by Staff and acceptance of the condition proposed by OTP with regard to the methodology used to determine the rates for new services in this docket.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-34A, specifically 49-34A-4, 49-34A-6, 49-34A-8, 49-34A-10 and 49-34A-12. The Commission found the rates as stipulated to by OTP and Staff are just and reasonable and approved the revised tariff and the condition proposed by OTP. As the Commission's final decision in this matter, it is therefore

ORDERED, that the rates based on Staff's methodology are approved; and it is

FURTHER ORDERED, that the methodology used to determine the approved rate levels for the new outdoor lighting services proposed in this docket may not be cited or relied on by the Commission as evidence in any administrative or other legal proceeding. It is

FURTHER ORDERED, that OTP's aforementioned revised tariff is approved and shall be effective for service rendered on and after the date of this order.

Dated at Pierre, South Dakota, this 27th day of July, 2001.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner